UNITED NATIONS

UNEP

SC

UNEP/POPS/POPRC.14/L.1

Distr.: Limited
18 September 2018

Original: English

Stockholm Convention on Persistent Organic Pollutants

Persistent Organic Pollutants Review Committee
Fourteenth meeting
Rome, 17–21 September 2018

Draft report of the Persistent Organic Pollutants Review Committee on the work of its fourteenth meeting

I. Opening of the meeting

1. The fourteenth meeting of the Persistent Organic Pollutants Review Committee was held at the headquarters of the Food and Agriculture Organization of the United Nations, Viale delle Terme di Caracalla, Rome, from 17 to 21 September 2018.

2. The Chair, Ms. Estefania Moreira (Brazil), declared the meeting open at 9.45 a.m. on Monday, 17 September 2018. Welcoming the members of the Committee and observers, she invited Mr. Rolph Payet, Executive Secretary of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, to deliver opening remarks.

3. In his remarks, Mr. Payet said that the scientific work under the Stockholm Convention had triggered and further catalysed persistent organic pollutant research activities worldwide, and had enabled increased awareness and knowledge of those chemicals and their presence in humans and the environment. Expressing appreciation for the highly scientific and technical contributions of the members of the Committee, he said that the Convention was one of the most dynamic global environment treaties, as new chemicals were continuously being added to the list of persistent organic pollutants in its Annexes. The complexity and challenges associated with the evaluation of polyfluorinated chemicals under consideration required careful review of the relevant information in order to provide the Conference of the Parties with a solid basis for decision-making.

4. While scientific monitoring data collected by the global monitoring plan confirmed decreasing trends in concentrations of most legacy persistent organic pollutants over time, and several of the newly listed chemicals, with real gains for human health and the environment, sustained efforts were needed to tackle global pollution and contamination. The global relevance and timeliness of the Committee's work was underlined by the themes selected for the third and fourth sessions of the United Nations Environment Assembly, on combating pollution and on sustainable consumption and production, respectively. In conclusion, he expressed his confidence that the transparent, inclusive, balanced, precautionary and science-based approach to decision-making adopted by the Committee over the years would continue at the current meeting.

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II. Organizational matters

A. Adoption of the agenda

5. The Committee adopted the agenda set out below on the basis of the provisional agenda (UNEP/POPS/POPRC.14/1):

1. Opening of the meeting.
2. Organizational matters:
   (a) Adoption of the agenda;
   (b) Organization of work.
3. Rotation of the membership.
4. Technical work:
   (a) Consideration of a draft risk profile on perfluorohexane sulfonic acid (CAS No: 355-46-4, PFHxS), its salts and PFHxS-related compounds;
   (b) Consideration of a recommendation to the Conference of the Parties on pentadecafluorooctanoic acid (CAS No: 335-67-1, PFOA, perfluorooctanoic acid), its salts and PFOA-related compounds;
   (c) Process for the evaluation of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride pursuant to paragraphs 5 and 6 of part III of Annex B to the Convention.
5. Report on activities for effective participation in the work of the Committee.
6. Workplan for the intersessional period between the fourteenth and fifteenth meetings of the Committee.
7. Venue and date of the fifteenth meeting of the Committee.
8. Other matters.
9. Adoption of the report.
10. Closure of the meeting.

B. Organization of work

6. The Committee agreed to conduct the meeting in accordance with the scenario note prepared by the Chair (UNEP/POPS/POPRC.14/INF/1) and the proposed schedule set out in document UNEP/POPS/POPRC.14/INF/2, subject to adjustment as necessary. The Committee also agreed to conduct its work in plenary session and to establish contact, drafting and friends of the chair groups as necessary. In considering the matters on its agenda the Committee had before it the documents listed in the annotations to the agenda (UNEP/POPS/POPRC.14/1/Add.1/Rev.1) and the list of pre-session documents by agenda item (UNEP/POPS/POPRC.14/INF/12/Rev.1).

C. Attendance

7. The meeting was attended by the following Committee members: *[to be completed]*

8. The following States and regional economic integration organizations were represented as observers: *[to be completed]*

9. Non-governmental organizations were also represented as observers. The names of those organizations are included in the list of participants (UNEP/POPS/POPRC.14/INF/XX).

III. Rotation of the membership

10. Introducing the item, the representative of the Secretariat drew attention to the information provided in document UNEP/POPS/POPRC.14/INF/3 on the newly appointed members of the Persistent Organic Pollutants Review Committee and forthcoming rotation of the membership in May 2020. The Conference of the Parties, by decision SC-8/9, had appointed the 14 experts who had been designated by Parties to serve as members of the Committee with terms of office from 5 May 2016 to 4 May 2020, together with 17 new experts to serve with terms of office from 5 May 2018 to 4 May 2022. Following the eighth meeting of the Conference of the Parties, the Governments of Austria, Luxembourg and Pakistan had informed the Secretariat of the replacement of the experts they had

designated to serve as members of the Committee. The curricula vitae of those replacement experts, a summary on the rotation of the membership and the contact information of the current and newly appointed members were set out in the document before the Committee. At its thirteenth meeting, the Committee had elected Ms. Svitlana Sukhorebra (Ukraine) to serve as Vice-Chair of the Committee with a term of office commencing on 5 May 2018. Finally, he said that the terms of office of the remaining 14 members would expire on 4 May 2020. Pursuant to paragraph 2 of the terms of reference of the Committee, the Conference of the Parties at its ninth meeting would need to appoint new members to fill those forthcoming vacancies on the Committee with a term of office running from 5 May 2020 to 4 May 2024.

11. The Committee took note of the information presented.

IV. Technical work

A. Consideration of a draft risk profile on perfluorohexane sulfonic acid (CAS No: 355-46-4, PFHxS), its salts and PFHxS-related compounds

12. In considering the sub-item, the Committee had before it a note by the Secretariat on the draft risk profile for perfluorohexane sulfonic acid (CAS No: 355-46-4, PFHxS), its salts and PFHxS-related compounds (UNEP/POPS/POPRC.14/2); and notes by the Secretariat containing additional information on those substances (UNEP/POPS/POPRC.14/INF/4) and a compilation of comments and responses relating to the draft risk profile (UNEP/POPS/POPRC.14/INF/5).

13. Introducing the sub-item, the representative of the Secretariat recalled that by decision POPRC-13/3 the Committee had established an intersessional working group to further review the proposal to list PFHxS, its salts and PFHxS-related compounds in Annexes A, B and/or C to the Stockholm Convention, and to prepare a draft risk profile pertaining to the chemical in accordance with Annex E to the Convention. The draft risk profile prepared by the intersessional working group, along with additional information and comments, were set out in the documents before the Committee.

14. Mr. Peter Dawson, chair of the intersessional working group, gave a presentation on the work of the group in developing the draft risk profile.

15. In the ensuing discussion, several members remarked on the size and complexity of the task undertaken by the intersessional working group, and there was agreement that the draft risk profile provided a sound basis for further discussion of the matter by the Committee. One member said that further consideration needed to be given to several issues, including clear definition of which chemicals, with their specific names, might be considered for further control; uncertainty regarding analytical methods used in studies of long-range transport; and ensuring that supportive data, in particular production data, were up to date and accurate. Another member agreed that additional information was needed on the complex matter of PFHxS-related compounds.

16. One member said that the greater occurrence of the chemicals in the environment than the reported levels of production indicated the possibility of there being unidentified major sources of emission, which needed to be identified for the risk management evaluation phase. Further discussion was also needed on the use of the read-across approach to compare data on PFHxS with those on other per- and polyfluoroalkyl substances (PFAS), in order to ensure consistency and to fill data gaps, for example on toxicity. Another member said that it would be instructive to obtain further information on the main sources of release of the chemical into the environment; on the accumulation in humans of different ages, to shed light on the long half-life of PFHxS in humans compared to PFOS and PFOA; and the implications for control of the concentration levels found for PFHxS in products and articles.

17. One member said that experimental evidence from studies on PFHxS, supported by equivalent studies on PFOA and PFOS, indicated adverse effects on human health. The European Human Biomonitoring Initiative aimed to provide better evidence of the exposure of citizens to those and other chemicals, and the possible health effects. Another member said that while there had not been a long history of research into PFHxS, its salts and PFHxS-related compounds, experimental studies, including those on the combined effects of chemicals (including PFHxS), indicated a clear risk to human health.

18. The Committee established a contact group, chaired by Mr. Dawson, to further revise the draft risk profile on PFHxS, its salts and PFHxS-related compounds set out in the annex to document UNEP/POPS/POPRC.14/2, and to prepare a draft decision, taking into account the discussions in plenary.

19. *[to be completed]*

B. Consideration of a recommendation to the Conference of the Parties on pentadecafluorooctanoic acid (CAS No: 335-67-1, PFOA, perfluorooctanoic acid), its salts and PFOA-related compounds

20. In considering the sub-item, the Committee had before it a note by the Secretariat on further assessment of information on pentadecafluorooctanoic acid (CAS No: 335-67-1, PFOA, perfluorooctanoic acid), its salts and PFOA-related compounds (UNEP/POPS/POPRC.14/3), as well as comments and responses relating to the draft assessment of information on PFOA, its salts and PFOA-related compounds (UNEP/POPS/POPRC.14/INF/7). It also had before it a note by the Secretariat containing information on note (ii) of part I of Annex A to the Convention and the scope of the reference to stockpiles in accordance with Article 6 of the Stockholm Convention (UNEP/POPS/POPRC.14/INF/6).

21. Introducing the sub-item, the representative of the Secretariat recalled that by decision POPRC-13/2, the Committee had recommended to the Conference of the Parties that it consider listing PFOA, its salts and PFOA-related compounds in Annex A or B to the Convention with specific exemptions as described in paragraph 2 of that decision. In the same decision, it had also invited Parties and observers to provide additional information to assist the Committee in defining specific exemptions for the production and use of the chemicals in a number of specified applications; in further evaluating the chemicals' unintentional formation and release; and in further evaluating the chemical identity of PFOA-related compounds. It had also established an intersessional working group to assess the additional information provided by Parties and observers.

22. As use in fire-fighting foams was one of the most complicated applications for which it had sought additional information, the Committee agreed to hear presentations by a fire-fighting foam expert panel, including an invited expert, who would provide the perspective of producers, users and regulators, as well as information on alternatives.

23. Mr. Rameshwar Adhikari, chair of the intersessional working group, first presented the outcome of the group's work. The Committee then heard presentations by: Mr. John-Olav Otterson of the European Committee of the Manufacturers of Fire Protection Equipment and Fire Fighting Vehicles presented the producer's perspective; Mr. Niall Ramsden from LASTFIRE, a consortium of international oil companies developing best practice in storage tank fire hazard management, provided the user's viewpoint; Mr. Kalle Kivelä of the European Chemicals Agency spoke from the regulator's standpoint; and Mr. Roger Klein of the International POPs Elimination Network (IPEN) provided an overview of alternatives. Following the presentations, the panel responded to questions from members.

24. In the ensuing discussion, several members spoke about the complications surrounding PFOA and the difficulty of gathering complete information on its applications. One said that there were so many sectors involved in using the substance that it would be difficult to compile all of its uses, and another said that although the intersessional work and presentations at the current meeting had answered many questions, information was still lacking on many of the applications and on the exemptions that would be needed. Even in the case of fire-fighting foams, where members had access to good information and the manufacturers and end users had made strong arguments for an exemption, the consequences of using the foams merited discussion, as an exemption would result in large amounts being released into the environment. A third member said that acquiring full evidence for all PFOA-related compounds might not be possible, but as alternatives were available, the Committee should take a holistic view of the chemical and aim for no exemptions, leave no room for manipulation by chemists and restrict even unintentional releases.

25. A few members mentioned the importance of providing the best possible advice to the Conference of the Parties based on the information the Committee had before it. One said that in doing so, the members should aim to maximize the management of risk by choosing control measures that would achieve the greatest reduction in PFOA use globally. Another stressed the need for the Committee to be as consistent as possible in deciding whether uses required an exemption.

26. One member provided new estimates of PFOA levels in the environment in Europe, saying that they should be taken into account in the discussion on listing the chemical in Annex C.

27. The Committee established a contact group, chaired by Mr. Jean-Francois Ferry, to further revise the draft assessment of the information on PFOA, its salts and PFOA-related compounds set out in the annex to document UNEP/POPS/POPRC.14/3, and to prepare a draft decision, taking into account the discussions in plenary.

C. Process for the evaluation of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride pursuant to paragraphs 5 and 6 of part III of Annex B to the Convention

28. In considering the sub-item, the Committee had before it a note by the Secretariat on the process for the evaluation of perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF) pursuant to paragraphs 5 and 6 of part III of Annex B to the Stockholm Convention (UNEP/POPS/POPRC.14/4), a note by the Secretariat on a draft report on the assessment of alternatives to PFOS, its salts and PFOSF (UNEP/POPS/POPRC.14/INF/8) and an addendum thereto (UNEP/POPS/POPRC.14/INF/8/Add.1), as well as a note by the Secretariat on the draft report on the evaluation of PFOS, its salts and PFOSF (UNEP/POPS/POPRC.14/INF/9).

29. Introducing the sub-item, the representative of the Secretariat recalled that under paragraph 5 of part III of Annex B to the Convention, the Conference of the Parties to the Stockholm Convention was required to evaluate the continued need for PFOS, its salts and PFOSF for the various acceptable purposes and specific exemptions listed in Annex B on the basis of available scientific, technical, environmental and economic information. For its part, paragraph 6 of part III of Annex B required that the evaluation take place no later than in 2015 and every four years thereafter, in conjunction with a regular meeting of the Conference of the Parties.

30. She further recalled that the Conference of the Parties, by its decision SC-6/4, had adopted a process for the evaluation of PFOS, its salts and PFOSF, and it had subsequently amended, through its decision SC-7/5, the schedule for the evaluation process and decided to undertake the next evaluation of PFOS, its salts and PFOSF at its ninth meeting.

31. Accordingly, by its decision POPRC-13/4, the Committee had established an intersessional working group to undertake the activities in the process set out in the annex to decision SC-6/4 and agreed to work in accordance with the terms of reference set out in the annex to document UNEP/POPS/POPRC.13/INF/9. In its decision POPRC-13/2, the Committee had further decided to address how to proceed with sulfluramid within the process for the evaluation of PFOS, its salts and PFOSF, while noting that there was evidence that sulfluramid degraded to PFOA and that sulfluramid was included in the risk profile on PFOS, its salts and PFOSF.

32. In line with the above-mentioned decisions, the intersessional working group had prepared a draft report on the assessment of alternatives to PFOS, its salts and PFOSF (UNEP/POPS/POPRC.14/INF/8, annex). Following the release of the draft report, the chair of the group, Mr. Martien Janssen, had revised four sections of chapter 3 and prepared additional draft text to be inserted in the executive summary and chapter 2, as well as new appendices 3 and 4. The additional and revised draft text was set out in the annex to document UNEP/POPS/POPRC.14/INF/8/Add.1.

33. The Secretariat had prepared a draft report on the evaluation of PFOS, its salts and PFOSF (UNEP/POPS/POPRC.14/INF/9, annex), and it would revise and finalize the report for consideration by the Conference of the Parties at its ninth meeting on the basis of the discussion at the current meeting and any additional submissions from Parties. The proposed action by the Committee on the sub-item was contained in the note by the Secretariat (UNEP/POPS/POPRC.14/4).

34. Mr. Janssen presented the draft report on the assessment of alternatives to PFOS, its salts and PFOSF (UNEP/POPS/POPRC.14/INF/8, annex) and the proposed changes to the draft report (UNEP/POPS/POPRC.14/INF/8/Add.1, annex).

35. In the ensuing discussion, members expressed appreciation to the intersessional working group and its chair for the draft report, which they said was encouraging in that it showed that alternative products or processes existed for most of the uses of PFOS, its salts and PFOSF.

36. Concern was expressed that, as was shown in the report, a full assessment of alternatives to PFOS, its salts and PFOSF was still hampered by confidential business information, and the suggestion was made that when screening potential alternatives to PFOS, its salts and PFOSF used as pesticides, the Committee could rely on information provided in the most comprehensive pesticide assessments conducted by the European Union.

37. With regard to the draft report, one member suggested that permethrin and cyfluthrin could be suitable alternatives to sulfluramid, since they had been screened in the assessment of alternatives to endosulfan conducted by the Committee at its eighth meeting and classified as chemicals that the Committee considered not likely to fulfil the criteria of persistence and bioaccumulation in Annex D to the Convention (decision POPRC-8/6, annex).

38. Responding to questions from members, Mr. Janssen clarified that the choice of alternatives depended on their function, rather than their chemical composition, so while in the case of fire-fighting foams alternative substances tended to be fluorinated and structurally similar to PFOS, when it came to pesticide uses chemicals with very different structures could serve the same purpose. In the case of hydraulic fluids, it was unclear whether alternatives to PFOS, its salts and PFOSF contained fluorinated substances because the full list of ingredients of such products was considered confidential business information and was not provided in the product material safety data sheets.

39. One member expressed support for further narrowing the acceptable purposes for PFOS, its salts and PFOSF, and sought clarification regarding the process that the Committee and the Conference of the Parties had to follow to eliminate or modify certain acceptable purposes set out in Annex B to the Convention.

40. The representative of the Secretariat invited the Committee to take note of document UNEP/POPS/COP.8/8, in which the Secretariat provided information on the possible actions that could be taken by the Conference of the Parties, should the Conference of the Parties conclude that there was no continued need for the various acceptable purposes for PFOS, its salts and PFOSF.

41. The Committee established a contact group, chaired by Mr. Janssen, to further revise the draft report and to prepare a draft decision on PFOS, its salts and PFOSF based on an initial text to be prepared by the Secretariat, taking into account the discussions in plenary.

42. *[to be completed]*

V. Report on activities for effective participation in the work of the Committee

43. The representative of the Secretariat introduced a report on activities for effective participation in the work of the Committee (UNEP/POPS/POPRC.14/INF/10), outlining the capacity-building and training activities carried out and planned since the previous meeting of the Committee. She drew special attention to a joint regional workshop for the Central and Eastern European region that had been held in Brno, Czechia, from 6 to 8 February 2018, to enhance the effective participation of Parties to the Rotterdam and Stockholm conventions in the work of the Chemical Review Committee of the Rotterdam Convention and the Persistent Organic Pollutants Review Committee of the Stockholm Convention with financial support provided by the European Union, Germany and Norway. She drew attention to awareness-raising materials on newly listed POPs developed by the Secretariat, including recordings of webinars conducted, which were available on the website of the Stockholm Convention. She stressed that, subject to the availability of resources, the Secretariat was planning to organize similar joint regional workshops in other regions during the biennium 2018–2019.

44. In the ensuing discussion, members expressed appreciation to the Secretariat for the activities conducted and said that enhancing the effective participation of members and others in the work of the Committee was critical to enhancing the effectiveness of the Stockholm Convention by ensuring that the deliberations of the Conference of the Parties had a strong scientific basis. As for potential future activities, support was expressed for the planned joint regional workshops, and one member suggested that thematic workshops on specific chemicals or issues would be very useful in helping them to acquire the necessary technical and scientific knowledge ahead of relevant meetings.

45. The Secretariat took note of the suggestions and the Committee took note of the information presented.

VI. Workplan for the intersessional period between the fourteenth and fifteenth meetings of the Committee

46. *[to be completed]*

VII. Venue and date of the fifteenth meeting of the Committee

47. *[to be completed]*

VIII. Other matters

48. *[to be completed]*

IX. Adoption of the report

49. *[to be completed]*

X. Closure of the meeting

50. *[to be completed]*